



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

PAN:AB

*271 Cadman Plaza East
Brooklyn, New York 11201*

March 6, 2012

By Hand and ECF

The Honorable Allyne R. Ross
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: United States v. David Aponte
Criminal Docket No. 04-842 (DGT)

Dear Judge Ross:

The government respectfully submits this letter to notify the Court that earlier today, the above-captioned defendant has pleaded guilty to unlawful possession of a controlled substance (Xanax) in the fourth degree in connection with his August 25, 2010 arrest in New Jersey, of which the government advised the Court by letter dated November 17, 2011. The local prosecuting attorney has advised us that this plea is in full satisfaction of all charges and that the prosecution has recommended that he be sentenced to a term of time served, with probation to follow. His sentencing in that matter is currently scheduled for June 15, 2012. Aponte is scheduled to be released from state custody on bond as early as this evening.

In light of the defendant's plea to committing a crime while on pre-trial release, the government respectfully requests a status conference at the Court's earliest convenience to address the status of the defendant's bond and conditions of

release. Please be advised that I am unavailable Thursday, March 8th, Friday, March 9th and Friday, March 16th but am otherwise available.

Respectfully submitted,

LORETTA E. LYNCH
UNITED STATES ATTORNEY

By: _____/s/_____
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Assistant U.S. Attorney
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cc: Donna Newman, Esq.
Senior U.S. Probation Officer Cheryl M. Fiorillo